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E-Filed 08/03/2010

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JASON RIVERA, an individual; and
MIKALA RIVERA, an individual,

CASE No. C 10-02439 RS

Plaintiffs,

**ORDER RESCHEDULING HEARING
ON MOTION TO DISMISS**

v.

BAC HOME LOANS SERVICING, L.P., et
al.,

Defendants.

Plaintiffs Jason and Mikala Rivera filed their Complaint on June 2, 2010 alleging thirteen claims for relief. On June 28, 2010, defendants BAC Home Loans Servicing, L.P., Bank of America, N.A., as successor in interest to Countrywide Bank, N.A., Countrywide Home Loans, Inc., and ReconTrust Company, N.A. filed a motion to dismiss plaintiffs' complaint. A hearing on the motion to dismiss was set for August 5, 2010.

Plaintiffs have not filed a response to the motion to dismiss, but instead filed a First Amended Complaint ("FAC") on August 3, 2010. In light of the filing of the FAC, the hearing date of August 5, 2010 is continued until **September 2, 2010** at 1:30 p.m., in Courtroom 3, 17th floor, United States Courthouse, San Francisco, California. The briefing schedule is amended as follows:

- 1) Defendants may, but are not required to, supplement their motion to dismiss in response to the FAC. Any supplemental briefing by defendants is due by **August 12, 2010**.

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2) Plaintiffs' opposition to the motion to dismiss is due by **August 19, 2010**.

3) Any reply to plaintiffs' opposition is due by **August 26, 2010**.

IT IS SO ORDERED.

Dated: 08/03/2010



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE